

## **Exhibit 5**

United States Bankruptcy Court/Southern District of New York  
Lehman Brothers Holdings Claims Processing Center  
c/o Epiq Bankruptcy Solutions, LLC  
FDR Station, P.O. Box 5076  
New York, NY 10150-5076

## LEHMAN SECURITIES PROGRAMS PROOF OF CLAIM

In Re:  
Lehman Brothers Holdings Inc., et al.,  
Debtors.

Chapter 11  
Case No. 08-13555 (JMP)  
(Jointly Administered)

Filed: USBC - Southern District of New York  
Lehman Brothers Holdings Inc., Et Al.  
08-13555 (JMP) 0000062855



Note: This form may not be used to file claims other than those based on Lehman Programs Securities as listed on <http://www.lehman-docket.com> as of July 17, 2009

Name and address of Creditor: (and name and address where notices should be sent if different from Creditor)

Great Bay Condominium Owners Association, Inc.  
6900 Great Bay  
St. Thomas, Virgin Islands 008021010  
with notices to be sent to: Nancy Elizabeth Shaw  
P.O. Box 2  
East Dover, Vermont 05341

☐ Check this box to indicate that this claim amends a previously filed claim.

Court Claim Number: \_\_\_\_\_  
(If known)

Filed on: \_\_\_\_\_

Telephone number: (617) 947-5615 Email Address: neshaw@earthlink.net

Name and address where payment should be sent (if different from above)

☐ Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

Telephone number:

Email Address:

1. Provide the total amount of your claim based on Lehman Programs Securities. Your claim amount must be the amount owed under your Lehman Programs Securities as of September 15, 2008, whether you owned the Lehman Programs Securities on September 15, 2008 or acquired them thereafter, and whether such claim matured or became fixed or liquidated before or after September 15, 2008. The claim amount must be stated in United States dollars, using the exchange rate as applicable on September 15, 2008. If you are filing this claim with respect to more than one Lehman Programs Security, you may attach a schedule with the claim amounts for each Lehman Programs Security to which this claim relates.

Amount of Claim: \$ 2,000,000\* (Required) \*indicates principal amount; other amounts may be due and sought, including interest, fees, costs and other damages.

☐ Check this box if the amount of claim includes interest or other charges in addition to the principal amount due on the Lehman Programs Securities.

2. Provide the International Securities Identification Number (ISIN) for each Lehman Programs Security to which this claim relates. If you are filing this claim with respect to more than one Lehman Programs Security, you may attach a schedule with the ISINs for the Lehman Programs Securities to which this claim relates.

International Securities Identification Number (ISIN): XS0311765654 (Required)

3. Provide the Clearstream Bank Blocking Number, a Euroclear Bank Electronic Reference Number, or other depository blocking reference number, as appropriate (each, a "Blocking Number") for each Lehman Programs Security for which you are filing a claim. You must acquire a Blocking Number from your accountholder (i.e. the bank, broker or other entity that holds such securities on your behalf). If you are filing this claim with respect to more than one Lehman Programs Security, you may attach a schedule with the Blocking Numbers for each Lehman Programs Security to which this claim relates.

Clearstream Bank Blocking Number, Euroclear Bank Electronic Instruction Reference Number and or other depository blocking reference number:

9554646 (Required)

4. Provide the Clearstream Bank, Euroclear Bank or other depository participant account number related to your Lehman Programs Securities for which you are filing this claim. You must acquire the relevant Clearstream Bank, Euroclear Bank or other depository participant account number from your accountholder (i.e. the bank, broker or other entity that holds such securities on your behalf). Beneficial holders should not provide their personal account numbers.

Accountholders Euroclear Bank, Clearstream Bank or Other Depository Participant Account Number:

16367 (Required)

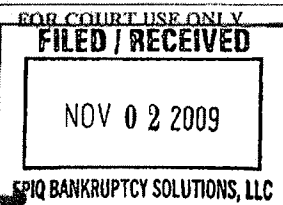
5. Consent to Euroclear Bank, Clearstream Bank or Other Depository: By filing this claim, you consent to, and are deemed to have authorized, Euroclear Bank, Clearstream Bank or other depository to disclose your identity and holdings of Lehman Programs Securities to the Debtors for the purpose of reconciling claims and distributions.

Date:

11/2/09

Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.

*SMCUTS ONE SALVATORE M. CUTS ONE*



Penalty for presenting fraudulent claim: Fine of up to \$500,000, imprisonment for up to 5 years, or both, 18 U.S.C. §§ 152 and 3571

**ACCIDENT**  
**GREAT BAY CONDOMINIUM ASS. INC.**

#### INSTRUCTIONS FOR PROOF OF CLAIM FORM

*The questions on the Proof of Claim form include instructions for completing each question. The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, there may be exceptions to these general rules.*

##### **Creditor's Name and Address:**

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

##### **Date and Signature:**

The person filing this proof of claim must sign and date it. FRBP 9011. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. Attach a complete copy of any power of attorney. Criminal penalties apply for making a false statement on a proof of claim.

#### DEFINITIONS

##### **Debtor**

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

##### **Creditor**

A creditor is the person, corporation, or other entity owed a debt by the debtor on the date of the bankruptcy filing.

##### **Claim**

A claim is the creditor's right to receive payment on a debt that was owed by the debtor on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured, reduced to judgment or not, liquidated or unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal or equitable

##### **Proof of Claim**

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the Claims Agent at the following address:

Lehman Brothers Holdings Claims Processing  
c/o Epiq Bankruptcy Solutions, LLC  
FDR Station, PO Box 5076  
New York, NY 10150- 5076

##### **Lehman Programs Security**

Any security included on the list designated "Lehman Programs Securities" available on <http://www.lehman-docket.com> as of July 17, 2009.

#### INFORMATION

##### **Acknowledgment of Filing of Claim**

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim, or you may access the Claims Agent's system (<http://www.lehman-docket.com>) to view your filed proof of claim.

##### **Offers to Purchase a Claim**

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 *et seq.*), and any applicable orders of the bankruptcy court.

Addendum to Great Bay Condominium Owners Association, Inc.'s Proof of Claim

Great Bay Condominium Owners Association, Inc. ("GBCOA") is an association comprised of more than 1000 individual homeowners, in the aggregate owning 1260 residence interests located in St. Thomas, Virgin Islands. GBCOA has filed this proof of claim on behalf of itself and its homeowners against Lehman Brothers Holdings Inc. ("LBHI") in the principal amount of \$2,000,000, plus interest, costs, fees, and other damages, as applicable, and any other relief that is proper under law and equity, pursuant to LBHI's guarantee (the "Guarantee") of the debts and obligations of Lehman Brothers Treasury Co. B.V. ("LBT") owing under the prospectus relating to the Issue of Principal Protected SUNS due 2010 (the "GBCOA Security"), issued by LBT, guaranteed by LBHI and brokered by Lehman Brothers, Inc., final terms dated July 11, 2007. The GBCOA Security's ISIN is XS0311765654, a "Lehman Program Security" (as defined in the Order Pursuant to Section 502(b)(9) of the Bankruptcy Code and Bankruptcy Rule 3003(c)(3) Establishing the Deadline for Filing Proofs of Claim, Approving the Form and Manner of Notice Thereof and Approving the Proof of Claim Form, entered in LBHI's bankruptcy cases on July 2, 2009 [Docket No. 4271]) identified on <http://www.lehman-docket.com> under the heading "Lehman Programs Securities" as of July 17, 2009, at 5:00 pm (prevailing Eastern Time).

As the GBCOA Security was represented to be 100% principal protected if held until the maturity date of July 26, 2010 (the "Maturity Date"), GBCOA's claim against LBHI includes a contingent component for interest accruing as of the Maturity Date through the date of distribution on the claim, if the principal amount is not paid before the Maturity Date.

In addition, GBCOA and its constituent homeowners seek all damages caused to them, including based upon tort, contract, and statutory violations committed by or on behalf of LBHI. GBCOA is entitled to damages in the form of, inter alia: (i) compensatory damages; (ii) fees and costs (including as provided under the Guarantee) incurred in connection with pursuing GBCOA's claim; and/or (iii) punitive damages. GBCOA reserves its rights to pursue recovery under these and other contract, tort, and damages theories relating to the GBCOA Security.

As the GBCOA Security purchase was made using deposits aggregated by GBCOA's individual homeowner constituents, GBCOA's claim may be entitled to priority on account of each of the more than 1000 customers is entitled to priority on its *pro rata* portion of the claim up to the statutory cap of \$2,425 pursuant to 11 U.S.C. § 507(a)(7). Accordingly, to the extent applicable, the subject claim is entitled to priority status on the \$2,000,000 principal amount plus interest, costs, fees, and other damages, as applicable, up to an aggregate of at least \$2,425,000.

GBCOA reserves all rights to amend and/or supplement this proof of claim.

WHITE & CASE

White & Case LLP  
1155 Avenue of the Americas  
New York, New York 10036-2787

Tel +1 212 819 8200  
Fax +1 212 354 8113  
www.whitecase.com

November 2, 2009

Epiq Bankruptcy Solutions, LLC  
Attn: Lehman Brothers Holdings Claims Processing  
757 Third Avenue, 3rd Floor  
New York, NY 10017

Re: *In re Lehman Brothers Holdings Inc., et al.* (Case No. 08-13555 (JMP))

Dear Sir or Madam:

Enclosed are two copies of the following proofs of claims by Österreichische Elektrizitätswirtschafts-AG in connection with the *In re Lehman Brothers Holdings Inc., et al.* proceedings in the Bankruptcy Court for the Southern District of New York (S.D.N.Y.), Case No. 08-13555 (JMP):

- Proof of claim by Österreichische Elektrizitätswirtschafts-AG in the amount not less than EUR 18,140,662.28 (\$ 28,509,305.47) related to those certain EUR 30,000,000 4.75% notes due 2014, purchased under the Debtor's \$60,000,000,000 Euro Medium-Term Note Program, ISIN XS0354131111 (temporary) and ISIN XS0183944643 (permanent); and
- Proof of claim by Österreichische Elektrizitätswirtschafts-AG against Lehman Brothers Holdings Inc. ("LBHI") in the amount not less than EUR 7,153,411.89 (\$10,188,604.55) related to EUR 500,000,000 Fixed/Floating Rate Enhanced Capital Advantaged Preferred Securities (collectively, the "Euro ECAPS"), ISIN XS0243852562.

An additional copy of each proof of claim form and a second copy of this letter. We would appreciate it if you would please date stamp/mark one copy of this letter and each proof of claim as received and return it to us for our records.

ABU DHABI ALMATY ANKARA BANGKOK BEIJING BERLIN BRATISLAVA BRUSSELS BUCHAREST BUDAPEST DRESDEN DÜSSELDORF  
FRANKFURT HAMBURG HELSINKI HONG KONG ISTANBUL JOHANNESBURG LONDON LOS ANGELES MEXICO CITY MIAMI MILAN MOSCOW  
MUNICH NEW YORK PALO ALTO PARIS PRAGUE RIYADH SÃO PAULO SHANGHAI SINGAPORE STOCKHOLM TOKYO WARSAW WASHINGTON, DC

November 2, 2009

WHITE & CASE

Page 2 of 2

Please contact Sylvia Chin at (212) 819-8811 if you have any questions or need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Adams", with a long horizontal flourish extending to the right.

Rashida Adams  
Legal Assistant

Enclosures

WHITE & CASE

White & Case LLP  
1155 Avenue of the Americas  
New York, New York 10036-2787

Tel +1 212 819 8200  
Fax +1 212 354 8113  
www.whitecase.com

November 2, 2009

Epiq Bankruptcy Solutions, LLC  
Attn: Lehman Brothers Holdings Claims Processing  
757 Third Avenue, 3rd Floor  
New York, NY 10017

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MUNICH NEW YORK PALO ALTO PARIS PRAGUE RIYADH SÃO PAULO SHANGHAI SINGAPORE STOCKHOLM TOKYO WARSAW WASHINGTON, DC

November 2, 2009

WHITE & CASE

Page 2 of 2

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Sincerely,

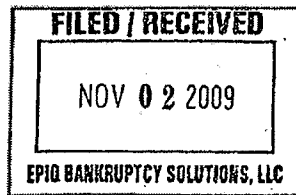


Rashida Adams  
Legal Assistant

Enclosures



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~~RECEIVED BY:~~ NK

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